

ORIGINAL

U.S. DISTRICT COURT NORTHERN DISTRICT OF TEXAS Page 1 of 2 PageID 27 FILED NOV - 3 2009 CLERK, U.S. DISTRICT COURT By <u>[Signature]</u> Deputy

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNITED STATES OF AMERICA)
)
VS.)
)
ERICK ENRIQUE ZAPETA-QUINONES)

CASE NO.: 3:09-CR-270-L

**NOTICE REGARDING ENTRY OF A
PLEA OF GUILTY**

In the event the Defendant decides at any time before trial to enter a plea of guilty, the United States Magistrate Judge is authorized, in accordance with United States v. Dees, 125 F.3d 261 (5th Cir. 1997), with the consent of the Defendant, to conduct the proceedings required by Rule 11, F.R.Cr.P. incident to the making of the plea. If, after conducting such proceedings, the Magistrate Judge recommends that the plea of guilty be accepted, a presentence investigation and report will be ordered pursuant to Rule 32, F.R.Cr.P. The assigned United States District Judge will then act on the Magistrate Judge's Report and Recommendation and if the plea of guilty is accepted, will adjudicate guilt and schedule a sentencing hearing at which the District Judge will decide whether to accept or reject any associated plea agreement and will determine and impose sentence. The Defendant may file written objections to the Magistrate Judge's recommendation within ten (10) days from the date of the recommendation pursuant to 28 U.S.C. §636(b)(1)(B).

CONSENT

I hereby declare my intention to enter a plea of guilty in the above case and I request and consent to the United States Magistrate Judge conducting the proceedings required by Rule 11, F.R.Cr.P. incident to the making of such plea. I understand that if my plea of guilty is then accepted by the District Judge, the District Judge will decide whether to accept or reject any plea agreement I may have with the United States and will adjudicate guilt and impose sentence.

I acknowledge receipt of this document, given to me on this date.

Date: November 3, 2009.

[Signature]

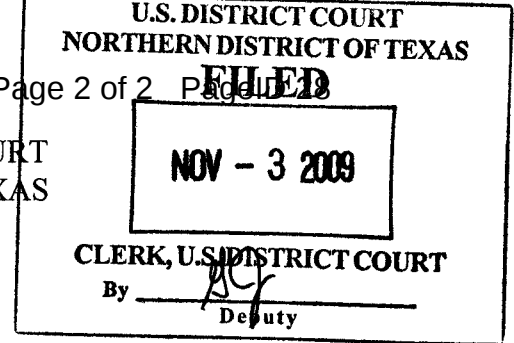
Defendant

[Signature]

Defendant's Attorney

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
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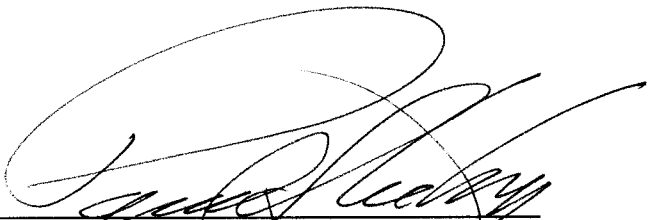
UNITED STATES OF AMERICA)
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VS.)
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ERICK ENRIQUE ZAPETA-QUINONES)

CASE NO.: 3:09-CR-270-L

**REPORT AND RECOMMENDATION
CONCERNING PLEA OF GUILTY**

Erick Enrique Zapeta-Quinones, by consent, under authority of United States v. Dees, 125 F.3d 261 (5th Cir. 1997), appeared before me pursuant to Rule 11 of the Federal Rules of Criminal Procedure, and entered a plea of guilty to Count(s) 1 of the Indictment on November 3, 2009. After cautioning and examining Defendant under oath concerning each of the subjects mentioned in Rule 11, I determined that the guilty plea was knowledgeable and voluntary and that the offense(s) charged is supported by an independent basis in fact containing each of the essential elements of such offense. I therefore recommend that the plea of guilty be accepted, and that Defendant be adjudged guilty and have sentence imposed accordingly.

Date: November 3, 2009.


UNITED STATES MAGISTRATE JUDGE

NOTICE

Failure to file written objections to this Report and Recommendation within ten (10) days from the date of its service shall bar an aggrieved party from attacking such Report and Recommendation before the assigned United States District Judge. 28 U.S.C. §636(b)(1)(B).